

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DENISE GARDNER,

Plaintiff,

v.

Case No. 06-CV-10372-DT

WAYNE COUNTY et al.,

Defendants.

ORDER STRIKING DEFENDANTS' MOTIONS FOR PARTIAL SUMMARY JUDGMENT

Pending before the court are four motions for partial summary judgment, filed by Defendants on April 30, 2007. The motions rely on overlapping record evidence¹ and, to some extent, the same legal authority. They are each devoted to a separate legal theory: (1) Plaintiff's Title VII and the Elliott-Larson Civil Rights Act claims; (2) Plaintiff's 42 U.S.C. §§ 1981 and 1983 claims; (3) Plaintiff's intentional infliction of emotional distress claims; and (4) individual Defendant liability. Defendants filed their motions *seriatim*, rather than in one document with different argument sections. The court views this tactic as an attempt to circumvent the page limit for motion briefs, see E.D. Mich. LR 7.1(c)(3), "an abusive practice which may result in the motion . . . being stricken," see comment to E.D. Mich. LR 7.1. Further, even if these separate motions evince no such intent, they have the effect of cluttering the court's docket and interfering with the efficient and effective administration of justice. Because "[t]he 20-page limit under LR 7.1(c)(3)(A) will be strictly enforced," comment to E.D. Mich. LR 7.1, the court will strike Defendants' motions for partial summary judgment. Accordingly,

¹Indeed, Defendants even use the same exhibits for each motion.

IT IS ORDERED that Defendants' "Motion for Summary Judgment as to Plaintiff's Title VII and ELCRA Claims" [Dkt # 37], "Motion for Summary Judgment as to Plaintiff's § 1981 and § 1983 Claims" [Dkt # 38], "Motion for Summary Judgment as to Intentional Infliction of Emotional Distress" [Dkt # 39] and "Motion for Summary Judgment as to All Individual Defendants" [Dkt # 40] are STRICKEN.

IT IS FURTHER ORDERED that Defendants may refile the above motions in a single motion complying with the page limitations of Local Rule 7.1(c)(3) and the court's motion practice guidelines (see 10/11/06 Scheduling Order at 4-8) no later than **May 10, 2007**.²

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: May 3, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 3, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

²If Defendants wish to file a brief that is longer than 20 pages, Defendants "may apply *ex parte* in writing setting forth the reasons." E.D. Mich. LR 7.1(c)(3)(A).